

PAM BASSEL STANDING CHAPTER 13 TRUSTEE

Bar No. 01344800
7001 Blvd 26, Ste 150
North Richland Hills, TX 76180
Telephone: (817) 916-4710
Facsimile: (817) 916-4770

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:

CASE NO.: 15-40537-ELM-13

JOHN STACEY SCHOLL SR

11747 BOIS D'ARC
PONDER, TX 76259
SSN/TIN: XXX-XX-6212

HELENE MARIE SCHOLL

HELENE MARIE RIOS
11747 BOIS D'ARC
PONDER, TX 76259
SSN/TIN: XXX-XX-4742

DEBTORS

PRE-HEARING CONFERENCE: 9/13/2019 8:30 AM

The Chapter 13 Trustee has filed an objection to your claim in this bankruptcy case. **Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.** If you do not want the court to eliminate or change your claim, then on or before 33 days from the date of service hereof, you or your lawyer must:

NOTICE OF OBJECTION TO CLAIM

1. File with the court a written response to the objection, explaining your position, at: ELDON B. MAHON U.S. COURTHOUSE 501 W. 10TH ST., RM. 147 FORT WORTH, TX 76102-3643. If you mail your response to the court for filing, you must mail it early enough so that the court will receive it by your response deadline;
2. You must also send a copy to: Pam Bassel STANDING CHAPTER 13 TRUSTEE 7001 Blvd 26, Suite 150 North Richland Hills, TX 76180 and any other party entitled to notice under the Federal Rules of Bankruptcy Procedure; and
3. Attend the hearing on the objection scheduled to be held on 9/13/2019 at 8:30 AM at 7001 Blvd. 26, Suite 150, North Richland Hills, TX 76180.

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim.

Respectfully submitted,

By: /s/ Ethan S. Cartwright
Ethan S. Cartwright, Staff Attorney
Bar No. 24068273
PAM BASSEL STANDING CHAPTER 13 TRUSTEE
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DEBTORS

PRE-HEARING CONFERENCE: September 13, 2019 8:30

AM

TRUSTEE'S OBJECTION TO PROOF OF CLAIM

NO HEARING WILL BE CONDUCTED ON THIS OBJECTION TO CLAIM UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT ELDON B. MAHON U.S. COURTHOUSE 501 W. 10TH ST., RM. 147 FORT WORTH, TX 76102-3643 BEFORE CLOSE OF BUSINESS AT LEAST 33 DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON COUNSEL FOR THE OBJECTING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

TO THE HONORABLE U.S. BANKRUPTCY JUDGE:

NOW COMES Pam Bassel Standing Chapter 13 Trustee and files this Trustee's Objection to the Proof of Claim filed by CAVALRY SPVI LLC ("Creditor"). Trustee would respectfully show the Court as follows:

1. The Trustee files this Objection pursuant to 11 U.S.C. §502(b)(1) and FED. R. BANKR. P. 3002 and 3007.
2. Creditor filed a Proof of Claim No. 10 ("Claim") on May 05, 2015 in the amount of \$1,121.87.
3. Upon information and belief, the debt asserted by CAVALRY SPVI LLC is barred by limitations under TEX.CIV.PRAC. & REM. CODE §16.004(a)(3).
4. Under §502(b)(1), the claim should be disallowed because it is unenforceable against the Debtors.

WHEREFORE, Trustee prays that the Court DISALLOW Creditor's Claim and for general relief.

Respectfully Submitted,

By: /s/ Ethan S. Cartwright
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CERTIFICATE OF CONFERENCE

No conference was held prior to the filing of this objection because doing so is impracticable given the number of objections routinely filed by the Trustee.

By: /s/ Ethan S. Cartwright
Ethan S. Cartwright

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was served on or before the date of filing. Service was accomplished electronically on Debtors' attorney and all parties entitled to electronic notice and by first class mail on the Debtors and the parties listed below, if any.

By: /s/ Ethan S. Cartwright
Ethan S. Cartwright

CREDITOR

CAVALRY SPVI LLC
C/O BASS AND ASSOCIATES PC
3936 E FT LOWELL STE 200
TUCSON, AZ 85712

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NOTICE OF HEARING ON OBJECTION TO PROOF OF CLAIM

TO ALL PARTIES IN INTEREST:

You are notified of the filing of the TRUSTEE'S OBJECTION TO PROOF OF CLAIM and hearing thereon. A Pre-Hearing Conference will be held at 8:30 AM on 9/13/2019 by the Trustee at 7001 Blvd. 26, Suite 150, North Richland Hills, TX 76180. If a response is timely filed and not resolved or defaulted at the Trustee's Pre-hearing Conference, this matter will be called at the docket call to be held at 8:30 AM on October 03, 2019 in ROOM 204 at U.S. Courthouse, 10th and Lamar St., Fort Worth, TX with the hearing on the matter immediately following docket call.

Respectfully Submitted,

By: /s/ Ethan S. Cartwright
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I certify that a true and correct copy of the foregoing was served on or before the date of filing. Service was accomplished electronically on Debtors' attorney and all parties entitled to electronic notice and by first class mail on the Debtors and the parties listed below, if any.

By: /s/ Ethan S. Cartwright
Ethan S. Cartwright

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